

HOUSE BILL 1969
By Westmoreland

AN ACT to amend Chapter 349 of the Private Acts of 1947, as amended by Chapter 40 of the Private Acts of 1973, Chapter 234 of the Private Acts of 1978, and any other acts amendatory thereto, relative to the General Sessions Court of Sullivan County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 349 of the Private Acts of 1947, as amended by Chapter 40 of the Private Acts of 1973, Chapter 234 of the Private Acts of 1978, and any other acts amendatory thereto, is amended in Section 1 by deleting the language "three (3)" and substituting instead the language "four (4)".

SECTION 2. Chapter 349 of the Private Acts of 1947, as amended, is further amended in Section 1 by deleting the language "Division I" and substituting instead the language "Divisions I and IV".

SECTION 3. Chapter 349 of the Private Acts of 1947, as amended, is amended in Section 2 by deleting the first sentence in its entirety and substituting instead the following new language:

The Judges of the Court of General Sessions, Divisions I and IV, shall hold court at Bristol, Tennessee or such other place within the division they deem necessary.

SECTION 4. Chapter 349 of the Private Acts of 1947, as amended, is amended by deleting Section 3 in its entirety and substituting instead the following new language:

That when the defendant in any civil action resides or is served with process in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Sixteenth,

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Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, or Twenty-second voting precinct of Sullivan County, the case shall be tried in Division I or IV of the court. All criminal actions charged in those districts shall be heard in Division I or IV of the court.

SECTION 5. Chapter 349 of the Private Acts of 1947, as amended, is amended in Section 5 by deleting the language "Division I" and substituting instead the language "Divisions I and IV".

SECTION 6. Chapter 349 of the Private Acts of 1947, as amended, is amended in Section 10 by deleting the first sentence in its entirety and substituting instead the following new language:

That the court in Divisions I and IV shall be open from 9:00 a.m. until 5:00 p.m. each week day.

SECTION 7. Chapter 349 of the Private Acts of 1947, as amended, is amended in the first sentence of Section 17 by deleting the language "judge of Division I of said court shall be" and substituting instead the language "judges of Divisions I and IV of such court shall each be".

SECTION 8. Chapter 349 of the Private Acts of 1947, as amended, is amended in the last paragraph of Section 17 by deleting the language "three (3)" and substituting instead the language "four (4)".

SECTION 9. Chapter 349 of the Private Acts of 1947, as amended, is further amended in the last paragraph of Section 17 by deleting the punctuation "." at the end of the paragraph and adding the following new language:

and "Candidates for Judge of the Court of General Sessions, Division IV."

SECTION 10. Chapter 349 of the Private Acts of 1947, as amended, is amended by adding the following as a new paragraph at the end of Section 18:

The term of office of Judge of the Court of General Sessions, Division IV, shall begin on September 1, 1998, and shall be filled by the voters, as set forth in Section 17, at the regular August election in 1998.

SECTION 11. Chapter 349 of the Private Acts of 1947, as amended, is amended by adding the following as a new paragraph at the end of Section 19:

As to Divisions I and IV of the court, the judge with the greater number of years of service as judge of the court shall be the presiding judge. If they should have the same amount of service, the judge of Division I shall be the presiding judge. The presiding judge shall be responsible for the administrative duties of the court including the assignment of cases and courtrooms and responsibility for division of the workload.

SECTION 12. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Sullivan County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Sullivan County and certified to the secretary of state.

SECTION 13. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 12.